

AO 91 (Rev. 11/11) Criminal Complaint

## UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States Courts  
Southern District of Texas  
FILED

FEB 14 2020

David J. Bradley, Clerk of Court

United States of America

v.

FRANCIS OKULA BAHATI

Case No.

H20-0312M

Defendant(s)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 03/08/2015 in the county of Walker in the  
Southern District of Texas, the defendant(s) violated:

Code Section

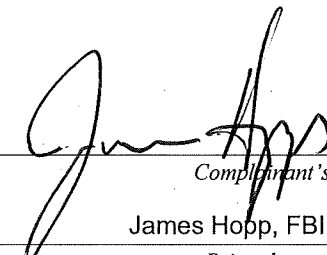
Offense Description

Title 18 Section 1073

Unlawful Flight to Avoid Prosecution

This criminal complaint is based on these facts:

Please see attached Affidavit.

☒ Continued on the attached sheet.
  
 Complainant's signature  
 James Hopp, FBI Special Agent  
 Printed name and title

Sworn to before me and signed in my presence.

Date: 2-14-20
  
 Judge's signature  
 Andrew M. Edison, U.S. Magistrate Judge  
 Printed name and title
City and state: Houston, Texas

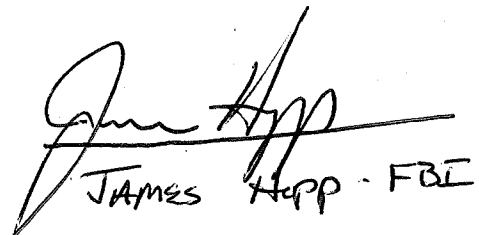
**AFFIDAVIT**

I, James D. Hopp, Special Agent (SA) with the Federal Bureau of Investigation (FBI) - Houston Division/Bryan Resident Agency, Bryan, Texas, being duly sworn, declare that the following is true and correct to the best of my knowledge:

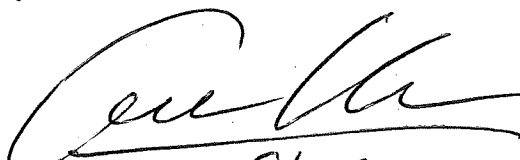
1. I have been employed as a Special Agent with the FBI since March 2004. During my time in the FBI I have conducted all types of criminal investigations involving numerous offenses, to include white collar, narcotics, violent crime/gang, firearms and fugitives, among others.
2. This affidavit is made in support of obtaining a warrant for Unlawful Flight to Avoid Prosecution, Title 18, United States Code, Sections 1073. Said warrant is requested in order to apprehend FRANCIS OKULA BAHATI, 39 years old, date of birth April 12, 1980, who fled to Kenya and was charged in Walker County, Texas with Sexual Assault of a Child/Second Degree Felony (Texas Penal Code 22.011(a)(2)).
3. This Affidavit is being submitted for the limited purpose of securing an arrest warrant and not every detail of the investigation is included in this Affidavit. I have set forth only the facts I believe are necessary to establish probable cause to believe that BAHATI has committed the aforementioned actions.
4. On December 29, 2014, Rose Soy met with investigators of the Huntsville Police Department in reference to her 16-year-old daughter, Wendy (pseudonym) being sexually assaulted by BAHATI, on November 20, 2014. Soy stated that Wendy had told her that BAHATI had picked her up on November 20, 2014, where he took Wendy to his residence and forced her to have intercourse. Soy was informed by Wendy about the incident after learning Wendy was pregnant. Soy also learned BAHATI provided Wendy with his credit card information, and Wendy had placed an internet order for abortion pills.
5. On March 2, 2015, Investigators set up an interview with BAHATI at the Huntsville Police Department. On this same date, Soy came to the Police Department and stated that BAHATI had contacted her and thanked her for helping him. BAHATI stated he was contacted by the police and that he was going to kill himself because he had nothing to say. BAHATI later arrived at the Police Department and was interviewed by Investigators. BAHATI denied that he had intercourse with Wendy and when questioned more thoroughly, BAHATI became ill and requested the interview be terminated.
6. On March 5, 2015, Huntsville Police obtained a search warrant for BAHATI's DNA. BAHATI later arrived at the Police Department where the search warrant was executed and BAHATI's DNA was obtained.
7. On March 9, 2015, an unnamed anonymous source came to the Huntsville Police Department and informed Investigators BAHATI had fled the country and returned to Kenya,

Africa. The source stated BAHATI had admitted he was having sexual relations with Rose Soy and her daughter.

8. On March 10, 2015, the Department of Homeland Security verified BAHATI had left Houston/Bush Intercontinental Airport on March 8, 2015, via a one-way ticket on United Flight 936, to Washington D.C., thru Zurich, Switzerland, to Kenya, Africa.
9. On March 25, 2015, Investigators were informed Wendy would be carrying the child to term. The investigation was temporarily suspended until the child was born and a DNA could be obtained.
10. On August 31, 2015, Investigators obtained a known DNA sample from Wendy as well as from the newborn child. The samples were sent to a lab at the University of North Texas Health Science Department for comparison to BAHATI's known sample.
11. On February 25, 2016, a Walker County Grand Jury indicted BAHATI for Sexual Assault of a Child/Second Degree Felony (Texas Penal Code 22.011(a)(2)).
12. On March 4, 2016, a capias warrant for Sexual Assault of a Child was issued for BAHATI by Walker County 12th District Court Judge Donald Kraemer, with a bond of \$7,500.00 and full extradition.
13. On November 16, 2015, obtained the DNA results and it was determined (BAHATI) cannot be excluded as the biological father of the child. Additionally, 99.99992% of the male population is excluded from the possibility of being the father of the child.
14. In June 2018, the Huntsville Police Department and Walker County District Attorney's Office reaffirmed the desire to prosecute BAHATI and requested the FBI assistance in locating and arresting BAHATI.
15. Based on all the aforementioned information in this affidavit, AFFIANT respectfully submits that there is probable cause to believe that BAHATI has committed violations of Title 18, United States Code, Section 1073, Unlawful Flight to Avoid Prosecution.

  
JAMES Hepp - FBI

*Subscribed and sworn to  
before me on February 14, 2020*

  
Andrew Edison  
United States Magistrate Judge